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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,000	10/15/2003	Hisham Khartabil	NOKM.066PA	4883
7590 07/03/2006 Hollingsworth & Funk, LLC Suite 125 8009 34th Avenue South Minneapolis, MN 55425			EXAMINER NGUYEN, BRIAN D	
			ART UNIT 2616	PAPER NUMBER

DATE MAILED: 07/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/686,000

Applicant(s)

KHARTABIL ET AL.

Examiner

Brian D. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-29 and 31-35 is/are rejected.
- 7) ☒ Claim(s) 5 and 30 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4, 6-29, and 31-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Gourraud et al (2004/0006623).

Regarding claims 1-2, Gourraud discloses a method for routing communication requests targeted for a user over a network (see figure 3), comprising: subscribing a network entity (CSCF 216) to presence information of the user (210, 212, 214) (see subscribe message in paragraph 0048, the presence information indicating conditions under which the user may be contacted (see paragraph 0049); receiving at least one notification at the subscribing network entity indicating a state of the presence information of the user (see notify message in paragraph 0049); and creating routing instructions for routing incoming communication requests targeted for the user, based on the state of the presence information (see paragraphs 0040, 0050, and 0063).

Regarding claim 3, Gourraud discloses storing the routing instructions for reference by the network entity upon receipt of the incoming communication requests targeted for the user (see contact database 217 in figure 3 and paragraph 0045).

Regarding claim 4, Gourraud discloses creating a routing script and storing the routing script for reference by the network entity upon receipt of the incoming communication requests targeted for the user (see contact database 217 in figure 3 and paragraph 0045).

Regarding claim 6, Gourraud discloses receiving one or more notifications at the subscribing network entity indicating a change of state of the presence information (see paragraphs 0049, 0083, and 0086).

Regarding claim 7, Gourraud discloses receiving a notification at the subscribing network entity indicating a state of the presence information at the time of the subscription of the network entity to the presence information (see paragraphs 0049, 0083, and 0086).

Regarding claim 8, Gourraud discloses registering one or more terminal applications with the network entity, and wherein subscribing the network entity to presence information of the user comprises subscribing the network entity to the presence information of the user in response to the registration of the one or more terminal applications (see paragraph 0045).

Regarding claim 9, Gourraud discloses publishing the presence information of the user (see paragraphs 0048 and 0049).

Regarding claim 10, Gourraud discloses publishing the presence information via a presence application server (see presence server 232 in figures 3 and 5).

Regarding claim 11, Gourraud discloses subscribing the network entity to the presence information at the presence application server (see presence server 232 in figures 3 and 5).

Regarding claim 12, Gourraud discloses receiving a notification at the subscribing network entity from the presence application server indicating a state of the presence information of the user (see notification message 312 from the presence server 232 in figures 3).

Regarding claim 13, Gourraud discloses the network includes an IP Multimedia core network Subsystem (IMS) network and the network entity includes a Serving Call Session Control Function (S-CSCF) (216), and wherein subscribing the S-CSCF to presence information

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of the user comprises providing a Session Initiation Protocol (SIP) SUBSCRIBE message (308) from the S-CSCF to a presence application server (232) to which the presence information of the user is published (see figure 3).

Regarding claim 14, Gourraud discloses receiving at least one SIP NOTIFY message at the S-CSCF from the presence application server (see notify message 312 in figure 3).

Regarding claims 15-25, claims 15-25 are method claims that have substantially the same limitations as the method claims 1-14. Therefore, they are subject to the same rejection.

Regarding claims 26-29, claims 26-29 are apparatus claims that have substantially the same limitations as the method claims 1, 2, 4, and 13. Therefore, they are subject to the same rejection.

Regarding claims 31-34, claims 31-34 are system claims that have substantially the same limitations as the method claims 1-3, 9, and 13. Therefore, they are subject to the same rejection.

Regarding claim 35, claim 35 is a computer software claim that has substantially the same limitations as the method claim 1. It is subject to the same rejection.

### ***Allowable Subject Matter***

3. Claims 5 and 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Response to Arguments***

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4. Applicant's arguments with respect to claims 1-4, 6-29, and 31-35 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

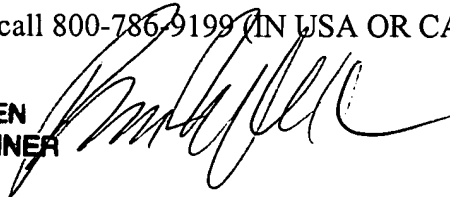
Niemi et al (2005/0170861), Donley et al (2004/0180646), and Adams et al (2004/0156490).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian D. Nguyen whose telephone number is (571) 272-3084. The examiner can normally be reached on 7:30-6:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**BRIAN NGUYEN**  
**PRIMARY EXAMINER**



6/28/06